

**REMARKS**

Claims 8 to 26 are now pending and being considered. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

Claims 8, 10, 12, 14, 16, 17, and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 4,908,611 (“Iino”). It is respectfully submitted that the “Iino” reference does not render unpatentable claims 8, 10, 12, 14, 16, 17, and 23 for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must teach or suggest each element of the claim. *See Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 934 (Fed. Cir. 1990), *cert. denied*, 111 S. Ct. 296 (1990); *In re Bond*, 910 F.2d 831, 834 (Fed. Cir. 1990). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. *See KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007).

Claim 8, as herein amended without prejudice,<sup>1</sup> provides for *a device configured to project an image of a passenger figure in a passenger space of a vehicle defined by an area that extends upward from a vehicle seat.*

The “Iino” reference does not disclose, or suggest, all of the features of claim 8. As admitted in the Office Action, the “Iino” reference “does not explicitly teach projecting a passenger figure defined by an area of a vehicle seat.” Office Action, p. 3. The “Iino” reference merely indicates a conventional head-up display apparatus for displaying various vehicle information or TV programs via one of two display units. The “Iino” reference, col. 1, lines 49 to 68. The display units of the “Iino” reference are located either on a dashboard or windshield, or on a console box between the two front seats. The “Iino” reference, col. 3,

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<sup>1</sup> Claim 8 has been amended for clarity and the arguments presented below apply equally to the claim as previously presented. Therefore, to the extent the Examiner agrees with the presented arguments, a subsequent rejection of the claims, if any, should not be made final.

lines 47 to 55. The “Iino” reference merely reflects two-dimensional vehicle information and TV programs via mirrors, which act essentially as conventional display screens.

The Office Action asserts that the device of the “Iino” reference “is capable of projecting images in the car.” Office Action, p. 3 (emphasis in original). However, merely because certain references can be combined or modified does not render the resultant combination obvious unless a rationale is provided that is reasoned from knowledge generally available to one of ordinary skill in the art, based on established scientific principles, or based on legal precedent established by prior case law. *See* M.P.E.P. 2144. At least a convincing line of reasoning must be presented to support the rejection. *Ex Parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985). The Office Action asserts that it would have been obvious to “project such images from the TV in the area of the vehicle seat(s) for easier viewing by the passenger(s) in the vehicle seat(s).” Office Action, p. 3. However, projecting TV images in the area of a vehicle seat, as suggested by the Office Action, would not provide for easier viewing by a passenger since passengers usually occupy the passenger spaces defined by areas of a vehicle seat and would interfere with the projected images. Thus, one skilled in the art would not have modified the device of the “Iino” reference to project TV images in such spaces. Instead, at most, one skilled in the art would provide a device that would project images onto a substantially flat surface with which passengers usually do not interfere. Therefore, such a modification, as suggested by the Office Action, would not have been predictable in view of the prior art.

It is therefore respectfully submitted that the Office Action has not provided any convincing line of reasoning for making the proposed combination. As such, the present rejection is apparently based on nothing more than improper hindsight, which cannot support an obviousness rejection. In this regard, it is noted that the present invention provides for a new and advantageous method of enhancing a driving experience by projecting an image to simulate a companion for the driver. It is for this reason that the image of the claim 8 is projected in the passenger space defined by an area of a vehicle seat. The prior art has not contemplated such a projection and provides no reason to project a conventional TV image or information screen in a space as provided for in the context of claim 8.

Therefore, the “Iino” reference does not disclose or suggest *a device configured to project an image of a passenger figure in a passenger space of a vehicle defined by an area that extends upward from a vehicle seat*, as provided for in the context of claim 8, so that the “Iino” reference does not render unpatentable claim 8.

Claims 10, 12, 14, 16, 17, and 23 depend from claim 8, so that these claims are allowable for at least the same reasons as claim 8.

Withdrawal of this obviousness rejection is therefore respectfully requested.

Claims 9, 11, 13, 15, 18 to 22, and 24 to 26 were rejected under 35 U.S.C. § 103(a) as unpatentable over the “Iino” reference, in view of U.S. Patent No. 6,236,968 (“Kanevsky”). It is respectfully submitted that the proposed combination of the “Iino” and “Kanevsky” references does not render unpatentable claims 9, 11, 13, 15, 18 to 22, and 24 to 26 for at least the following reasons.

Claims 9, 11, 13, 15, 18 to 22, and 24 to 26 ultimately depend from claim 8 and are therefore allowable for at least the same reasons as claim 8, since the secondary “Kanevsky” reference does not correct the critical deficiencies of the “Iino” reference noted above with respect to claim 8.

As further regards claim 18, which recites that the device projects the figure as a function of a signal from a seat occupancy recognition system, the Office Action admits that the “Iino” reference does not disclose this feature. The Office Action apparently intends to refer to the “Kanevsky” reference as assertedly correcting this deficiency of the “Iino” reference. However, the Office Action does not state where the “Kanevsky” reference discloses this feature. Indeed, any review of the “Kanevsky” reference makes plain that it does not disclose or suggest this feature.

With respect to this feature, the Office Action states that “[i]t is noted that the ‘seat occupancy recognition system’ has been interpreted to mean pressure sensors in car seats (which deactivate airbags depending on the weight of the child.” Without addressing the Office’s interpretation, it is noted that neither of the cited references discloses a pressure sensor, deactivation of air bags, or weight of children. Further, none of the cited references discloses or suggests preventing young children from accessing a projection device. Further, even if the cited references would suggest such prevention, *prevention of children from accessing* a projection device does not disclose or suggest *projecting a figure as a function of a signal* from a pressure sensor sensing whether a child is present, as suggested by the Examiner.

For this additional reason, it is respectfully submitted that the combination of the “Iino” and “Kanevsky” references does not disclose or suggest all of the features of claim 18, so that the combination of the “Iino” and “Kanevsky” references does not render unpatentable claim 18 for this additional reason.

Withdrawal of this obviousness rejection is therefore respectfully requested.

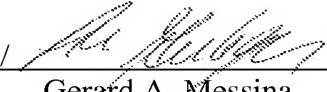
Accordingly, it is respectfully submitted that all of the presently pending claims 8 to 26 are allowable.

**Conclusion**

In view of the foregoing, it is respectfully submitted that all of the presently pending claims 8 to 26 are allowable. It is therefore respectfully requested that the objections and rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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